DOCUMENT RESUME

ED 235 399 CG 016 932

TITLE Missing Children Act. (Report to Accompany H.R. 6976). House of Representatives, Ninety-Seventh Congress, Second Session. Report No. 97-820.
INSTITUTION Congress of the U.S., Washington, D.C. House Committee on the Judiciary.
PUB DATE 16 Sep 82
NOTE 14p.; For related document, see ED 225 051.
PUB TYPE Legal/Legislative/Regulatory Materials (090)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Children; Crime; Data Collection; *Federal Legislation; Hearings; *Identification; Information Needs; *Information Networks; *Victims of Crime
IDENTIFIERS Congress 97th; *Missing Persons; *Proposed Legislation

ABSTRACT

The Missing Children Act, H.R. 6976, is intended to establish a central repository of information to assist state and local officials in identifying all missing persons, including children. Children are more difficult to identify than adults because they generally do not maintain such common identifiers as drivers licenses or social security numbers, and physical descriptions such as height and weight are quickly out dated. Because there is no uniformly used method of notifying various law enforcement agencies that a child has been reported missing, a child that has been taken across country or state lines may not be found, or if found, not identified. In most cases, parents of missing children receive little support or assistance, and suffer severe emotional and financial hardships when attempting to search for a child on their own. The Missing Children Act provides for use of the FBI's National Crime Information Center (NCIC) as a central information clearinghouse on missing persons. A centralized file containing descriptive information of unidentified deceased individuals will also be maintained. (This report includes a cost estimate of the program by the Congressional Budget Office, a brief history of the bill, and an overview of the legislation. Background information which highlights the need for legislation, and transcripts of testimony from those in favor of the bill are also included.) (WAS)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

97TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
No. 97-820

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)
X This document has been reproduced as received from the person or organization originating it.
Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

MISSING CHILDREN ACT

SEPTEMBER 16, 1982.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

ED235399

Mr. EDWARDS of California, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 6976]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 6976) to amend title 28, United States Code, to require the Attorney General to acquire and exchange information to assist Federal, State, and local officials in the identification of certain deceased individuals and in the location of missing persons (including unemancipated persons), having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

HISTORY

H.R. 6976 was referred to the House Committee on the Judiciary on August 11, 1982. The Subcommittee on Civil and Constitutional Rights, chaired by Representative Don Edwards, previously had held two days of hearings, November 18, 1981 and November 30, 1981, on a predecessor bill, H.R. 3781, introduced on June 3, 1981 by Representative Paul Simon. At those hearings the following witnesses testified: Denny Abbott, of Child Advocacy, Inc.; Kier T. Boyd, Inspector, Deputy Assistant Director, Technical Services Division, Federal Bureau of Investigation; Richard Dennis, Assistant Section Chief, Criminal Investigation Division, Federal Bureau of Investigation; U.S. Senator Paula Hawkins; John McClure, of Child Advocacy, Inc.; David F. Nemecek, Section Chief, National Crime Information Center, Federal Bureau of Investigation; Congressman Paul Simon; Congressman Clay Shaw, Jr.; John and Reve Walsh, of the Adam Walsh Outreach Center for Missing Children; and Ronald K. Wright, District Medical Examiner of the State of Florida.

Aside from the witnesses listed above, the Subcommittee attempted to solicit the opinions of a wide range of interested individuals and

CG 016932

89-006 O

organizations including: Kristen Cole Brown, Information Director of Child Find; Betty DiNova, of the Dee Scofield Awareness Program; Herbert E. Hoffman, Director, American Bar Association; Congressman John LaFalce; Congressman Joseph G. Minish and William H. Webster, Director of the Federal Bureau of Investigation. Also the Committee commissioned a study entitled "Missing and Unidentified Deceased Persons Files: Development of a National Repository," by the Congressional Research Service of the Library of Congress.

Among the organizations that have endorsed this legislation are: the American Bar Association, the Child Welfare League of America, the International Association of Chiefs of Police, the International Union of Police Association AFL–CIO; the National Association of Counties; the National Association of Criminal Justice Planners; the National Association of Social Workers; the National Council of Juvenile and Family Court Judges; the National District Attorneys Association; the National Youth Work Alliance; the Center for Community Changes; the Police Executive Research Forum, B'nai B'rith; the New York State Legislature and the Florida State Cabinet.

Based on testimony received in those two hearings and subsequent consultations with law enforcement groups, including the FBI, a new bill, H.R. 6976, was introduced on August 11, 1982, by Representative Paul Simon (the author of the original bill, H.R. 3781) and Representative Clay Shaw. Following the introduction of H.R. 6976, the Subcommittee on Civil and Constitutional Rights met to consider the bill on August 18, 1982 and favorably reported it to the full Judiciary Committee by unanimous voice vote. Thereafter, the full Judiciary Committee on August 19, 1982 also reported the bill favorably by a unanimous voice vote.

Summary of Legislation

Overview

H.R. 6976, as reported, is intended to establish a central repository of information which will assist state and local officials in identifying all missing persons, including children.

One of the most difficult obstacles faced by the families of missing children is the lack of coordinated law enforcement procedures. While some local police departments have excellent resources and methods of finding children, or of identifying them once found, others have no procedures at all. Even more importantly, there is no uniformly used method to notify other law enforcement agencies that a child has been reported as missing. Therefore, if a child has been taken across state or even county lines, it is highly unlikely that he/she will be located, or if found, properly identified.

This legislation does not in any way alter the obligation of either State or federal law enforcement officials to search for missing children. It creates no new federal jurisdiction. The National Crime Information Center computer system is not designed to locate missing children—or anyone for that matter, only to identify the subject once found. In the case of missing children even the task of identification is rendered more difficult than in the case of adults, because few chil-

dren maintain common identifiers such as a drivers license number, or a social security number. Fingerprints are rarely on file, and even height and weight descriptions are quickly dated. Despite—or indeed because of—these limitations, the bill is intended to spur a greater attention to the unique problems of missing children and to encourage local police to place that data which does exist into NCIC's computer system.

An additional section of the bill creates a centralized unidentified dead file which would contain descriptive information obtained about "John Doe" deceased individuals whose identities cannot be otherwise established. Currently there is no national or uniform system for identifying unknown deceased individuals. It is estimated that approximately 2,000 to 5,000 unidentified dead are found in the United States each year. Essentially, it would allow coroners to share data relating to unidentified deceased individuals, and aid in establishing an identity.

BACKGROUND AND NEED FOR LEGISLATION

The National Crime Information Center [NCIC] computer system was created in 1967 for the express purpose of centralizing all criminal history records, as well as a "hot index" of wanted persons and stolen properties solely for the official use of criminal justice agencies for valid criminal justice purposes. In 1975, a separate missing persons file was established in order to assure the appropriate privacy rights of the individuals affected.

The current NCIC computer contains 9.6 million records. Less than three-tenths of 1 percent pertain to missing persons. According to Kier T. Boyd, Assistant Director in charge of the FBI's Technical Services Division, since 1975, approximately 780,000 missing persons records have been entered in the file, 592,000 of which were juveniles.

On any given day the file size for missing persons may number about 24,000. Of those, 19,000 are juveniles. It is a file with a fast turnover rate; on the average, about 50 percent of the file turns over during the course of the month.[1]

FBI statistics indicate that only 10 percent of all missing persons are ever entered into this system. While accurate statistics of missing children are for the most part unavailable, the Department of Health and Human Services estimates that 1.8 million children are missing from their homes each year. In 1981, 25 of the largest cities in the U.S. reported a total of 85,000 missing children with 7,000 of those cases remaining unsolved. The number of children murdered in the U.S. in 1980 was 2,729. But as of April 1, 1982, only 23,793 persons, adults as well as children, were listed on the NCIC computer.[2]

The major problem appears to be the underutilization of available resources by state and local law enforcement agencies, who have primary responsibility for locating missing persons. The Senate Subcommittee on Investigations and General Oversight of the Labor and Human Resources Committee conducted a survey of 25 of the nation's 35 largest police departments. Their survey showed that only 10–14

[1] Hearings before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, House of Representatives, 97th Congress, First Session on H.R. 3781, Missing Children's Act. November 18 and 30, 1981, Serial number 33 (hereinafter referred to as hearing record) at page 45.

[2] U.S. Senate, Committee on the Judiciary, Report on Missing Children Act, Draft report 1982, page 4.

percent of missing children had been reported to FBI's NCIC missing persons file.[3]

The Committee heard testimony about the suffering and frustration of parents whose children are missing. Local police agencies already overburdened with criminal cases are apparently reluctant to plunge into the investigation of a child reported as missing. Dennie Abbott of Child Advocacy Inc., testified:

> I have talked to too many parents who have been to small municipalities—in our county we have some municipalities with three or four officers and they won't even take a report. They won't even sit down and look the parent in the eye and say let me take the information.
>
> Mr. HYDE. Why not?
>
> Mr. ABBOTT. They don't have the time; and particularly if it is a 14- or 15-year-old child, they say come back, in a few days because he is probably going to come home, and parents are frustrated by that type of thing.[4]

One letter received by the Committee describes the frustration felt by families of missing children.

ALTAMONTE SPRINGS, FLORIDA,
November 15, 1981.

DEAR SIR: My little sister, Dee Scofield, was abducted from an Ocala shopping center on July 22, 1976, and still has not been found.

In spite of all futile efforts of family and friends, we know nothing more than we knew at the time of her abduction. Law enforcement officials did not act efficiently, and the short time they did assist, it was not prompt and thorough.

Since D's disappearance, the family has been referred from one agency to another, unsuccessfully, because they tell us, it is either out of their jurisdiction, or they do not deal in missing persons. This leaves the family no choice but to diligently search further, on our own, without any local, state, or federal assistance which is so desperately needed in finding my little sister and others so tragically taken from their families.

A national clearinghouse for missing persons could change all of this for many thousands of families throughout the United States, looking for their loved ones. It would give us so much hope.

Unfortunately, there is no agency established specifically for locating missing persons, and because it is a national problem, federal assistance is needed.

Please won't you help.

Sincerely,

SHELLY SCOTT.[5]

John Walsh of the Adam Walsh Outreach Center for Missing Children, himself a parent of a six year old who was abducted and later murdered, testified:

> After interviewing local police agencies in Florida, New York State and Michigan, the overall lack of communication

[3] U.S. Senate, Committee on the Judiciary, Report on Missing Children Act, Draft report 1982, page 4.
[4] Hearing record, page 98.
[5] Hearing record, page 125.

between local and state authorities is incredulous. In the experience of the Hollywood police, when attempting to supply information about Adam's disappearance nationwide they found that the systems of two entire states were so antiquated that they would not even take any information about Adam. The "infamous" NCIC, National Crime Information Computer, is to overburdened with general statistics that it is ineffective. Crimes as diverse as burglary, car theft, runaway husbands, and murder, as well as, information on missing persons are fed into this computer that it is impossible for a local agency to cross-reference information from other agencies. The NCIC cannot be accessed without a name or license number or social security number. What help is this in identifying a dead child's body or a living child that is too young to know its name? [6]

According to a variety of witnesses, in most cases parents get little, if any, support or assistance and return to their homes emotionally and financially devastated. In most cases, the child is never found alive or dead. According to Bereaved Parents, an organization with chapters throughout the U.S. of parents with deceased or murdered children, 90 percent of the marriages fail as a result of the trauma of the death of a child.[7] Many are also devastated financially, spending considerable sums on detectives, flyers, phone calls, travel and the like. Many succumb to alcoholism, lost time at work, eventually losing their jobs. According to Mr. Walsh:

> From our own personal experience, this devastated us financially. It cost every bit of savings we had as well as, whatever money we could borrow, to search for Adam. The amount of time lost at work, the need for emotional counseling, the lost tax dollars, and the emotional wrecks of surviving parents that are cast on the welfare system of our society is enormous. If you could calculate these uncalculable figures they would far outweigh the cost of a centralized reporting system for missing bodies and missing children.[8]

The Committee recognizes that it is of no small concern to the thousands of anxious families of missing children that somewhere a centralized clearinghouse of information be established. In the words of John Walsh:

> This would be a little peace of mind for parents that somewhere there is information on their child if their child's body is found or if the child hopefully is alive.[9]

The Committee hopes that the passage of H.R. 6976 will address that need.

THE NCIC SYSTEM

Missing children create a special problem for the NCIC Computer system. Unlike adults who carry wallets or purses and maintain such common forms of identification as drivers licenses, social security

[6] Hearing record, page 27.
[7] Hearing record, page 27.
[8] Hearing record, page 27.
[9] Hearing record, page 23.

cards, or in the alternative have fingerprints on file due to a job application, military service or such, children generally have none of these identifiers at all. Also, a child crying loudly, even screaming, in the company of any adult will attract little attention. Yet, a child who does come to the attention of law enforcement officials and is either unwilling or incapable of identifying himself (due to age, injury, or even death) needs to be identified, if only to notify anxious families.

Keir T. Boyd, Deputy Assistant Director of the FBI's Technical Services Division, described the mechanics of the NCIC computer thusly:

> . . . We have the missing person's name, sex, race, place of birth, date of birth, in the case of juvenile the date of emancipation, height, weight, eye color, hair color, FBI number if there is one, skin tone, scars, marks, tattoos, fingerprint classification if it is known, social security number, and any other number which may be used to help identify that person.
>
> In addition to this, we have fields for the operator's license to show the number of the license, the State, when the license expires; we also have fields to indicate what vehicle the person may be using, specifically the license plate data, vehicle identification number, year, make, model, style, color of the vehicle.
>
> We then have the date that the person was missing and finally, we have what we call a miscellaneous field in which one can enter anything which might assist in the identification of the person, such as the clothes that they were last seen wearing.[10]

However, many witnesses were sharply critical of the NCIC Computer system currently in use. The main complaint was that law enforcement agencies seeking information from the system need to enter the child's name, sex, race, and date of birth. For the most part, any law enforcement agency in possession of that information has already identified the child.

Denny Abbott, Executive Director of Child Advocacy, Inc., a nonprofit corporation funded through a grant from the Office of Juvenile Justice and Delinquency Prevention, of the U.S. Department of Justice, testified:

> . . . [W]e have a national computer that has some information on runaway and missing children, but it is of no use, period, if the local law enforcement officer doesn't know who the kid is to begin with. He must have a name and a date of birth before he can get anything back out of that system.
>
> We are proposing that there needs to be a clearinghouse where you can identify children based on physical description when you don't have a name. So that is the reason I think many police officers are frustrated around the country . . .[11]

In the course of the hearings and in response to questions on this issue the following exchange took place:

[10] Hearing record, page 45.
[11] Hearing record, page 97.

Chairman DON EDWARDS: Well, right now the name of missing children and the description are generally in the NCIC, I think.

Dr. MCCLURE. Yes.

Mr. Edwards. A lot of them. But do you think it is important to add those without names? Are there any without names in the NCIC, Mr. Abbott?

Mr. ABBOTT. No.

Mr. EDWARDS. You have to have a name to get into the NCIC. So you think the first improvement would be to put in physical descriptors?

Dr. MCCLURE. The physical descriptors are there, but the access that is available to the local law enforcement people as they have told us is that to find a hit on the computer you must know the subject's name, race, sex, and date of birth.[12]

John Walsh of the Adam Walsh Outreach Center for Missing Children testified:

> This is a national problem.... I have done a lot of research on the subject with local police agencies. I did not want to come here today uninformed and not having my facts straight. The NCIC can only be accessed if you have a name or a social security number or a license number. If you have a child 3 years old who does not know his name or a battered child or a runaway sexually abused by the parent who cannot give the name to the police officer, how does the officer access the NCIC? He does not.[13]

Clearly, although an NCIC missing person computer system does currently exist, it does not appear adequate for the purposes of those state and local enforcement agencies for whom the service is intended, at least in the case of missing children. Therefore, the question becomes how best can needed information be accumulated, categorized, and made quickly retrievable to the local police? One suggestion was for the development of a system designed to enhance, not replace, the NCIC in order to increase the amount of information to the officer on the street while simplifying his access to that information. Whereas entry into the NCIC system apparently requires a name, a race, sex, and date of birth, in the case of children additional physical descriptions are needed.

Dr. John McClure, a computer specialist with Child Advocacy, Inc. in Florida testified:

> Mr. TUCEVICH (counsel). If this legislation were to pass just as it is right now, H.R. 3781, the Simon bill, in your opinion would it really aid in finding missing children?
>
> Dr. MCCLURE. Not unless the programing capability were expanded so that physical descriptors, dental charts and such that could be entered, rather than the name and date of birth as is presently required.
>
> Mr. TUCEVICH. So, in other words, if this legislation were to pass, in your opinion it wouldn't do much good without adding those identifiers, the capacity to search—

[12] Hearing record, page 100.
[13] Hearing record, page 21.

Dr. McCLURE. That's correct. I don't know if that sort of thing has to be mandated by legislation. We do see that as the deficiency in the current program.[11]

Dr. McClure descibed the computer system utilized by the Child Advocacy, Inc. organization which is funded through a grant tendered by the U.S. Department of Justice's Office of Juvenile Justice and Deliquency Prevention:

> We have a computer package that will search through our files up to seven different levels. We don't need to know the name, date of birth, or other positive identification factors.
>
> Granted, the officer on the street may learn that there are five or six brown-eyed, blond-haired, 15-year-old youths with tattoos who have been reported as missing, but at least he has a little something more to go on as far as positive identification.
>
> Obviously our system is not going to be perfect but we submit that it could serve as a pilot perhaps to a national system.
>
> We have found that the cost is at this point minimal. The microcomputer that serves this function, among other services to our agency, costs the grand total of $3,500. The computer software that allows access on other variables besides name and date of birth cost $150 over the counter at a computer store. So obviously the main cost of this program is going to be the work.[12]

Dr. McClure elaborated further on the system in response to questioning by Representative Henry J. Hyde:

> Mr. HYDE. It would seem in this day and age if you are looking for people of an approximate age, with scars on their left hand, you should be able to retrieve that information regardless of the name or absence of a name.
>
> Dr. McCLURE. That's correct.
>
> Mr. HYDE. Computer experts could help us on that but you are doing the job on a small, microcosmic scale for $150.
>
> Dr. McCLURE. This $150 program will also store up to 1,980 pieces of information on each child.
>
> Mr. HYDE. On each child?
>
> Dr. McCLURE. Yes.
>
> Mr. HYDE. How many children will it store?
>
> Dr. McCLURE. Stores 1,000 at a time on, like a 45-r/min record, 5¼-inch diskettes. We understand from talks with the communications specialists at the sheriff's office the NCIC computer will only hold 400 characters on each subject. We would hope that the system, if it is expanded to include missing children, would be revamped so that it might store more information as well as provide searching on other descriptors besides the name and date of birth.[13]

Following this exchange, Chairman Edwards inquired of FBI Assistant Director Kier Boyd, who was still present in the room:

[11] Hearing record, page 101.
[12] Hearing record, page 96.
[13] Hearing record, page 98.

Mr. EDWARDS. Mr. Boyd, would it be possible to work into the NCIC missing person file the descriptions of missing people without the names and the date of birth?

Mr. KIER BOYD. Yes; we have that capability now, but not online. The problem is with 19,000 people on there, you will probably have many hits and, as I understand their testimony they have about 15 minutes to hold the person, and the great variety of hits, I am not sure that——

Mr. EDWARDS. You might hit 100 possibles?

Mr. KIER BOYD. That could very well be. For instance, one of my colleagues testified in a case where we had the same name, same date of birth, unfortunately it was the wrong person. So we had an exact hit using specific data.

When you get into one talking about height plus or minus an inch, weight plus or minus 5 pounds, I have some problem that you are going to be able to narrow it.

You can in a system that size, narrow down fairly tightly. If you have 19,000 juveniles, I think that would be difficult.

Mr. EDWARDS. Do you have a response to that, Dr. McClure?

Dr. MCCLURE. I certainly agree and, as I mentioned, the volume would be probably the major problem in extrapolating the system from a local to a national level. However, if an entry came from south Florida, it might be very appropriate for the NCIC operator to restrict the search to files reported from south Florida.[17]

From all the information available to the Committee, it is apparent that to the credit of the FBI the NCIC Computer system is well run as to missing persons generally. However, it is equally apparent that the system needs to be expanded and enhanced if the problem of missing children in particular is to be adequately addressed. Additional physical descriptors aside from name, sex, and date of birth should be utilized to the extent that available technology permits. The Committee recognizes that there are inherent problems in designing a system which can isolate "hits" of sufficient uniqueness to prove useful to the officer in the street. It is the Committee's understanding that the FBI is committed to broadening to the extent practicable the use of personal identifiers. For that reason, H.R. 6976 is drafted to make clear the congressional intent that the unique problem of missing children be addressed, while allowing the FBI sufficient management flexibility and latitude to implement that intent. The Subcommittee on Civil and Constitutional Rights, chaired by Representative Don Edwards, will continue to monitor the progress of the Bureau in this regard.

CREATION OF A CENTRAL CLEARINGHOUSE OF INFORMATION ON UNIDENTIFIED DEAD

This bill will also create, for the first time, a national clearinghouse of information to list descriptions of unidentified deceased individuals. While at first glance this may seem morbid and grostesque, in reality a significant number of persons, in large part juveniles, lay unidentified in morgues around the country. Witness after witness recounted the urgent need for such a resource. If the body of a child or an adult

[17] Hearing record, page 102.

is found in an area away from his or her home, and a wallet or purse which would normally contain some manner of identification is removed, chances are that body will be buried, but never identified. At the same time, the anguished family of that person will still be frantically waiting and hoping for the safe return of their loved one, never certain of their fate.

Dr. Ronald Wright testified before the Subcommittee on Civil and Constitutional Rights:

> I am a physician specializing in forensic pathology. I am board certified in anatomic, clinical and forensic pathology. I am the district medical examiner of district 17, State of Florida which is Broward County, a county of 1.1 million people.
>
> This year so far we have two children who have been found in my district who we have not been able to identify. Both were skeletons when found.
>
> With no national data bank for parents to go to, the parents of those two children do not know I have them, nor do I have a way of reaching them.
>
> Considering how little it will cost to set up such a data bank, that is a shame.[18]

Children are not the only victims. Adults, too, present a very real concern to anxious families and to law enforcement officials interested in notifying next of kin, if only to claim the body. Dr. Wright continued:

> With regard to unidentified individuals, right now in my morgue I have 10 people who I do not know who they are. They died of various things. The majority were murder victims. Most of these people are young. All of them have somebody somewhere who is looking for them. I cannot find them, and they cannot find me. In Florida alone there are 23 medical examiner agencies, and if you were looking for a family member of yours, you would have to call 23 medical examiners' office just to cover the State of Florida.[19]

The Committee finds that a significant benefit of this bill is its creation of a centralized clearinghouse of information, in effect, a national registry of unidentified dead.

The Subcommittee on Civil and Constitutional Rights heard a considerable amount of testimony about the impossible task of canvassing the vast array of hospitals and county morgues in search of a loved one. John Walsh, the father of six year old Adam Walsh, whose abduction and murder was the impetus for this legislation, described in rather poignant and compelling testimony some examples. Parents who had children missing from home and spent five or six months frantically searching only to learn their youngster was lying unidentified in the morgue of an adjacent county. Nobody knew how to identify the child and thus contact the frantic parents.

> Here the parents spent life savings, $40,000 on private detectives while their daughter's body was in a morgue in Texas for

[18] Hearing record, page 31.
[19] Hearing record, page 30.

87 days . . . Previous to Adam's disappearance the State exchanged information on unidentified bodies every 6 months. Where do you go to find an unidentified body if the person was not missing in the State of Florida? He does not know who to contact to find out about the body. The worst thing is the not knowing, the thousands of parents that do not know.[20]

Dr. Wright confirmed the problem.

Basically speaking we have a system right now of law enforcement which does not facilitate the solution to the problem of missing children. In Broward County alone with a population of 1.1 million people there are 26 police agencies. Each of them attempts to maintain a missing persons recordkeeping system. It is rather ludicrous . . . that we do not and have not developed at the Federal level where it needs to be done some kind of system to do this kind of recordkeeping.

What has been said about local law enforcement not doing an adequate job I think is mostly related to their not having the tools, and they do not have the tools because the Federal Government is negligent in providing them because they need to be done at the Federal level.[21]

The Committee agrees that the development of a centralized national registry of unidentified dead is long overdue. This bill, by creating such a source, will accomplish that result and in the process help alleviate some of the pressure and anxiety which is now borne by the families and friends of missing and unidentified persons—anxiety worsened by unrelenting uncertainty as to the fate of their loved one.

Congressional Budget Office Estimate

U.S. Congress,
Congressional Budget Office,
Washington, D.C., August 31, 1982.

Hon. Peter W. Rodino, Jr.,
Chairman, Committee on the Judiciary, U.S. House of Representatives, Washington, D.C.

Dear Mr. Chairman: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed H.R. 6976, the Missing Children Act, as ordered reported by the House Committee on the Judiciary, August 19, 1982.

The bill would require the Attorney General to acquire and exchange information to assist federal, state, and local officials in identifying deceased individuals and in locating missing children. It is expected that the Federal Bureau of Investigation (FBI) would be charged with implementing this legislation, primarily by maintaining a file of information about unidentified, deceased individuals. Initiation and maintenance of this file is estimated to cost about $0.3 million per year. Because the FBI already maintains information files on all missing persons (including juveniles) no significant additional cost is expected for expanding the information collected about missing children.

[20] Hearing record, page 21.
[21] Hearing record, page 30.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

OVERSIGHT FINDINGS

The Committee makes no oversight findings with respect to this legislation.

In regard to clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, no oversight findings have been submitted to the Committee by the Committee on Government Operations.

NEW BUDGET AUTHORITY

In regard to clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives, H.R. 6976 creates no new budget authority or increased tax expenditures for the Federal Government.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee finds that the bill will have no foreseeable inflationary impact on prices or costs in the operation of the national economy.

FEDERAL ADVISORY COMMITTEE ACT OF 1972

The Committee finds that this legislation does not create any advisory committees within the meaning of the Federal Advisory Committee Act of 1972.

COST ESTIMATE

In regard to clause 7 of rule XIII of the Rules of the House of Representatives, the Committee agrees with the estimate of the Congressional Budget Office and estimates that there will be additional cost of $300,000 to the Federal Government by this legislation.

COMMITTEE VOTE

H.R. 6976 was reported favorably by the Committee on August 19, 1982 by unanimous voice vote, a quorum being present.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted in enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 28, UNITED STATES CODE

* * * * * * *

PART II—DEPARTMENT OF JUSTICE

* * * * * * *

CHAPTER 33—FEDERAL BUREAU OF INVESTIGATION

Sec.

531. Federal Bureau of Investigation.

* * * * * * *

534. Acquisition, preservation, and exchange of identification records *and information*; appointment of officials.

* * * * * * *

§ 534. Acquisition, preservation, and exchange of identification record *and information*; appointment of officials

(a) The Attorney General shall—

(1) acquire, collect, classify, and preserve identification, criminal identification, crime, and other records; [and]

(2) acquire, collect, classify, and preserve any information which would assist in the identification of any deceased individual who has not been identified after the discovery of such deceased individual;

(3) acquire, collect, classify, and preserve any information which would assist in the location of any missing person (including an unemancipated person as defined by the laws of the place of residence of such person); and

[(2)] (4) exchange [these records] *such records and information* with, and for the official use of, authorized officials of the Federal Government, the States, cities, and penal and other institutions.

(b) The exchange of records *and information* authorized by subsection (a)[(2)](4) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c) The Attorney General may appoint officials to perform the functions authorized by this section.

* * * * * * *

○